

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No.: 1:24-cv-24228**

MEGAN PETE, an individual

Plaintiff,

v.

MILAGRO ELIZABETH COOPER,
an individual,

Defendant.

ORDER FOLLOWING DISCOVERY HEARING

THIS CAUSE came before the Court for hearing on July 14, 2025, on Plaintiff's Notice of Discovery Dispute concerning (i) Defendant's failure to respond to Plaintiff's Third Set of Requests for Production, (ii) Defendant's deficient discovery responses, and (iii) Plaintiff's request for sanctions (the "Discovery Dispute"). [ECF No. 90].

This Court, having considered the Dispute and heard the oral argument of the Parties, and being otherwise advised in the premises, hereby **ORDERS and ADJUDGES** that:

1. By July 15, 2025, Defendant shall provide her Discord account login credentials to the agreed-upon third-party forensic vendor, FTI Consulting, for that company to conduct an independent collection from Defendant's Discord account. Following the independent collection, the parties shall confer and agree on the production of responsive documents per Plaintiff's Third Set of Requests for Production. Such production shall occur before Defendant's deposition on July 21, 2025.
2. The Court shall defer ruling on the issue of potential spoliation of Defendant's text messages and WhatsApp messages and Plaintiff's request for sanctions pursuant to

Federal Rule of Civil Procedure 37 [ECF No. 90 ¶¶ 2–3] until after Defendant’s deposition on July 21, 2025. If after Defendant’s deposition Plaintiff seeks to proceed on the issue of spoliation, Plaintiff must promptly contact the Undersigned to request an evidentiary hearing.

3. Plaintiff and Defendant shall meet and confer regarding Defendant providing Plaintiff with the deleted WhatsApp messages and iMessages from Defendant’s cellphone relevant to Plaintiff’s discovery requests, including Defendant providing Plaintiff with any documents or credentials necessary to authorize a third-party forensic vendor to obtain the deleted messages.
4. Defendant must pay all reasonable expenses, including attorneys’ fees, incurred by Plaintiff in litigating the Discovery Dispute. The Parties shall meet and confer within five days of entry of this Order as to a reasonable amount of fees and costs that Plaintiff incurred by having to bring this Discovery Dispute to the Court’s attention.¹ If the Parties cannot agree, then within ten days of the entry of this Order, Plaintiff shall bring the matter to the Undersigned’s attention by contacting chambers to provide the Undersigned with the amount requested, along with the time entries establishing the amount, and Defendant shall then have five days thereafter to respond.

¹ The accrual of fees from the time when Defendant did not have counsel to when Defendant’s newly retained counsel was becoming acquainted with the case shall be exempted from this Order. The parties are to confer and agree upon a time range for the accrual of reasonable attorneys’ fees to be paid by Defendant.

DONE AND ORDERED in Chambers at Miami, Florida, this 14th day of July 2025.



Lisette M. Reid
United States Magistrate Judge

Copies furnished to: All Counsel of Record